UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/735,167	12/12/2000	Warren B. Jackson	XXT-090	5416

7590 06/01/2005	EXAMINER
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ART UNIT	PAPER NUMBER
2624	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/735,167	JACKSON ET AL.
	Examiner	Art Unit
	King Y. Poon	2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>24 January 2005</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-27</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) <u>14-25 and 27</u> is/are allowed.

6)☒ Claim(s) <u>1,3,5-13 and 26</u> is/are rejected.

7)☒ Claim(s) <u>2 and 4</u> is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>23 April 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date <u>2/21/2003, 10/14/20 ª ϥ</u>

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1, 3, 26 are rejected under 35 U.S.C. 102(e) as being anticipated by

Hansen (US 6,509,974).

Regarding claim 1: Hansen teaches in a computer system (fig. 1, fig. 2), a

method comprising the steps of: providing a PSDL (PCX, column 4, line 40) parser (the

program of the computer, column 22, line 57 that converts the PCX file into printer file

format, column 4, lines 57-64, column 5, lines 20-25, that contains print attributes,

column 7, lines 30-40) capable of automatically, without user intervention (column 7,

lines 65-67), extracting print job requirements from a PSDL file; automatically (column 7,

line 31), without user intervention, creating a proposed workflow (directing jobs to

specific production output devices, column 7, lines 30-40) for a print shop (column 6,

line 21) using said print job requirements extracted by said PSDL parser and resource

knowledge recording resources (column 7, lines 1-2) in said print shop.

Regarding claim 3: Hansen teaches wherein said PSDL parser traverses said

PSDL file and extracts the print job requirements for said print job from said PSDL file

and forwards said print job requirements to a workflow schedule module (server, 120,

column 7, lines 10-15), said workflow schedule module compares said print job

requirements against available resources (column 7, lines 30-45, column 7, lines 1-2) of

the print shop and maps the sequence of steps required to perform the print job to

available machines (column 7, line 34, output devices) and operators in the print shop

as indicated by a print shop resource availability module (the program of the server that

indicates available devices 122, column 7, lines 3-5).

Regarding claim 26: Claim 26 is claiming medium containing computer

executable instructions for carrying the process disclosed in claim 1. In Hanson, the

computer functions by running programs (column 22, line 57). It is inherent that the

program of the computer is stored in a computer readable medium.

Claim Rejections - 35 USC § 103

3.   Claims 5-10, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Hansen as applied to claim 1 above, and further in view of Freedman (US 4,839,829).

Regarding claims 5, 6: Hansen does not teach wherein the proposed workflow is

used to generate a job cost estimate includes material cost and labor cost.

Freedman, in the same area of print shop, teaches proposed workflow is used to

generate a job cost estimate includes material cost and labor cost (column 10, lines 55-

65).

Since cost and pricing is the most important thing in a print shop, it would have

been obvious to a person with ordinary skill in the art at the time the invention was

made to have modified Hansen to include: wherein the proposed workflow is used to generate a job cost estimate includes material cost and labor cost.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Hansen by the teaching of Freedman because: (a) it would have allowed the print shop to know how much to charge the customer without hiring an accountant just to figure out the cost of the print job to reduce cost; and (b) it would have provided the customer with a competitive price quote quickly.

Regarding claim 7: Hansen does not teach wherein said proposed workflow and said job cost estimate are transmitted to a job submitter that submitted the print job for approval prior to processing said print job.

Freedman, in the same area of print shop, teaches wherein said proposed workflow and said job cost estimate are transmitted to a job submitter that submitted the print job for approval prior to processing said print job (column 10, lines 16-28).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Hansen to include: wherein said proposed workflow and said job cost estimate are transmitted to a job submitter that submitted the print job for approval prior to processing said print job.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Hansen by the teaching of Freedman because: (a) it would have reduced the risk of the customer not paying for the print job due to the customer don't know about the cost of the print job; and (b) it would have

protected the print shop by having the submitter/customer approves the cost of the print job.

Regarding claim 8: The claim rejections of claims 7 & 24 are representative of claims 8 & 25. See Freedman disclosure concerning the job submitter substituting new materials to replace materials included in said proposed workflow (column 10, lines 8-14, customer selects decrease of pages in submission), creating a new proposed workflow which includes said new materials, generating a new job cost estimate (column 10, line 16, calculation of cost information) for said new proposed workflow, and transmitting said new job cost estimate and said new proposed workflow to said job submitter for approval (column 10, lines 19-28, customer is presented with cost and time information and given choice to proceed with print job).

Regarding claim 9: The claim rejection of claim 7 is representative of claim 9. See Freedman disclosure concerning the job submitter substituting new machines to replace machines included in said proposed workflow (column 10, line 19-24, customer selects particular printing machine, & column 12 lines 19- 20, printing manager selects printing equipment, and column 13, lines 8-9, requestor is in communication with printing manager selecting print), creating a new proposed workflow which includes said new materials, generating a new job cost estimate (column 10, line 16, calculation of cost information) for said new proposed workflow, and transmitting said new job cost estimate and said new proposed workflow to said job submitter for approval (column 10, lines 19-28, customer is presented with cost and time information and given choice to proceed with print job).

Regarding claim 10, the claim rejection of claim 7 is representative of claim 10.
See Freedman disclosure concerning the job submitter substituting new machine
operators to replace operators included in said proposed workflow (column 10, line 19-
24, customer selects particular printing facility with its estimate of, column 10, line 60,
manpower), creating a new proposed workflow which includes said new materials,
generating a new job cost estimate (column 10, line 16, calculation of cost information)
for said new proposed workflow, and transmitting said new job cost estimate and said
new proposed workflow to said job submitter for approval (column 10, lines 19-28,
customer is presented with cost and time information and given choice to proceed with
print job).

Regarding claim 13: Hansen disclosure wherein said PSDL file is a PCX file
(column 4, line 40).

4.   Claims 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over
Hansen (US 6,509,974), in view of admitted prior art.

Concerning claims 11-12, the PSDL file formats of PPF and JDF are well- known
in the art. (See applicant admission in the background of invention from Specification).

Accordingly, it would have been obvious to one skilled in the art at the time of the
invention to have used the PSDL file formats of PPF &JDF because they are known in
the art to be effective formats that allow the specification of a job in a print shop in
accordance with operations to be performed, resources required, and the actual data

content. They are proven formats that print shops can use to convert and process

printing orders.

Allowable Subject Matter

5.   Claims 14-25, 27 are allowed.

6.   Claims 2, 4 is objected to as being dependent upon a rejected base claim, but

would be allowable if rewritten in independent form including all of the limitations of the

base claim and any intervening claims.

Response to Arguments

7.   Applicant's arguments filed on1/24/2004 have been fully considered but they are

not persuasive.

With respect to applicant's argument regarding claim 1, that neither Hansen nor

Freedman takes into consideration "all the information and requirement which the

workflow of the present claims does. For example it does not take into consideration

the material and labor costs, the work-in-progress and current schedule of the print

shop or the inter-process buffer level," has been considered.

In reply: the material and labor costs, the work-in-progress and current schedule

of the print shop or the inter-process buffer level is not part of the claimed limitations of

the workflow of claim 1.

With respect to applicant's argument that Hansen and Freedman does not teach a PSDL parser automatically extracting print job requirements form a PSDL file and automatically creating a workflow for the print shop considering the two inputs, print job requirements and available print shop resource knowledge, has been considered.

In reply: Hansen teaches in a computer system (fig. 1, fig. 2), a method comprising the steps of: providing a PSDL (PCX, column 4, line 40) parser (the program of the computer, column 22, line 57 that converts the PCX file into printer file format, column 4, lines 57-64, column 5, lines 20-25, that contains print attributes, column 7, lines 30-40) capable of automatically, without user intervention (column 7, lines 65-67), extracting print job requirements from a PSDL file; automatically (column 7, line 31), without user intervention, creating a proposed workflow (directing jobs to specific production output devices, column 7, lines 30-40) for a print shop (column 6, line 21) using said print job requirements extracted by said PSDL parser and resource knowledge recording resources (column 7, lines 1-2) in said print shop.

8.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Conclusion

9.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to King Y. Poon whose telephone number is (571) 272-

7440

5/27/05

**KING Y. POON
PRIMARY EXAMINER**